

**FILED**  
IN THE HO-CHUNK NATION  
SUPREME COURT

APR 05 2001

*T. Pettibone*  
Clerk of Court/Assistant

IN THE  
HO-CHUNK NATION SUPREME COURT

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Margaret G. Garvin,  
Appellee,

v

ORDER DENYING APPEAL  
Case No. SU 01-04

Donald Greengrass,  
Appellant,

and

Margaret G. Garvin,  
Appellee,

v

Ho-Chunk Nation, and  
Donald Greengrass in his official and individual capacity,  
and Evans Littlegeorge in his individual capacity,  
Appellant.<sup>1</sup>

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This matter came before the full Court on Tuesday, April 3, 2001. The Ho-Chunk Nation (hereinafter HCN), and the above named Appellant's, by and through their counsel, Michael P. Murphy, filed *Appellant's Petition for Permission to Appeal (Interlocutory Appeal of HCN Trial Court Order of March 9, 2001)* pursuant to the HCN Rules of Appellate Procedure, Rule 7.5, on March 19, 2001. The Appellee filed a response on March 29, 2001.

Upon review of the Appellant's Petition for Permission to Appeal (Interlocutory Appeal of HCN Trial Court Order of March 9, 2001) and the Appellee's Response, this Court is not convinced that the issues brought before this Court are ready for final decision. Before this Court can make a final decision, the Trial Court must first have an

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<sup>1</sup> The Court notes that the HCN Rules of Appellate Procedure, Rule 7(b)(2) states that the name of the case shall be the same as the heading used in the lower court. Counsel must comply with the HCN Rules of Appellate Procedure in this regard.

opportunity to fully consider all of the facts of this case. This Court prefers to accept appeals from which the Trial Court has fully considered and disposed of all of the issues based on the facts of the case, at which point that case would then be ripe for a final decision.

Based upon the above, this Court hereby DENIES the Appellant's Petition to Appeal.

EGI HESKEKJET. Dated this 5<sup>th</sup> day of April 2001.

*Rita A. Cleveland*

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Hon. Rita A. Cleveland, Associate Justice

*Debra C. Greengrass*

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Hon. Debra C. Greengrass, Associate Justice

*Mary Jo B. Hunter*

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Hon. Mary Jo B. Hunter, Chief Justice  
Ho-Chunk Nation Supreme Court

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*T. Pettibone*  
Clerk of Court

CERTIFICATE OF SERVICE

I, Tari Pettibone, Clerk of the Ho-Chunk Nation Supreme Court, do hereby certify that on the date set forth below I served a true and correct copy of the Order Denying Appeal file in Case No. SU 01-04 By the United States Postal Service, upon all person listed below:

Mr. Michael P. Murphy  
Department of Justice  
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Black River Falls, WI 54615

Mr. William F. Gardner  
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P.O. Box 1558  
Wisconsin Rapids, WI 54495-1558

Trial Court  
Hon. Todd Matha  
P.O. Box 70  
Black River Falls, WI 54615

Hon. Debra Greengrass  
6200 West Locust Street  
Milwaukee, WI 53210

Hon. Mary Jo Brooks Hunter  
4 Linder Court N.  
St. Paul, MN 55106

Hon. Rita Cleveland  
367 River Street  
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Indian Law Reporter  
319 McArthur Blvd.  
Oakland, CA 94610

Date: April 5, 2001

*Tari Pettibone*  
Tari Pettibone, Clerk of Court  
Ho-Chunk Nation Supreme Court